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LETTER DATED 6 AUGUST 1992 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a copy of a letter dated 6 August 1992 from Mr. Muhammad Said al-Sahhaf, Minister for Foreign Affairs of the Republic of Iraq, addressed to the President of the Security Council. It concerns the letter dated 30 July 1992 from the Special Rapporteur of the Commission on Human Rights addressed to you.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Abd al-Amir AL-ANBARI
Ambassador
Permanent Representative

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Annex

Letter dated 6 August 1992 from the Minister for Foreign Affairs of Iraq addressed to the President of the Security Council

I have the honour to draw your attention to the letter dated 30 July 1992 addressed to you by Mr. Max van der Stoel, Special Rapporteur of the Commission on Human Rights on the situation of human rights in Iraq, and to part one of his interim report annexed thereto.

We are surprised that this letter should have been addressed to you and through you to the other members of the Security Council instead of being submitted, as is the normal procedure, to the forthcoming session of the General Assembly. The report was even sent to you before it was in its final form. All of this has been done on the basis of the alleged gravity of the situation in southern Iraq and the impact of what is happening there on stability in the region.

The logical and obvious conclusion to be drawn from this baffling and precipitous conduct on the part of the Special Rapporteur is that Mr. van der Stoel is playing a role that was planned for him in association with the ongoing campaign of hostility against Iraq being waged by the United States of America and its allies. The Special Rapporteur has thus violated the norms and principles laid down for his work, which is supposed to be characterized by impartiality and objectivity in following the correct procedures, acquainting himself with the views of the parties particularly concerned - and here it is Iraq which is the party fundamentally concerned in the matter - and then presenting all of the views and positions in a precise and objective manner to the Organization, and not by restricting himself, as he has in this report, to reiterating allegations made by parties hostile to Iraq and proposing exceptional and unprecedented measures in their regard to be imposed upon Iraq. In another respect, the Special Rapporteur has leaked the report in question to the press and other information media and has also participated personally in the propaganda campaign by holding seminars and television and newspaper interviews directed against the country with which he is supposed to be cooperating in fulfilling his mandate.

Over and above the foregoing remarks on the dubious procedural methods adopted by the Special Rapporteur, the report itself is full of allegations, lies and fallacies.

The Special Rapporteur claims that there is an overall campaign that is characterized by the use of extreme force against the "Marsh Arabs". For these statements, he relies only on what he calls "reliable" sources which he does not disclose instead of seeking information from the Iraqi authorities on the true state of affairs. The measures taken by the government authorities have had the objective of protecting the inhabitants of the area and of neighbouring areas from acts of murder, sabotage and robbery carried out by certain groups linked with Iran and some of which are made up of Iranian

nationals. Iran is supplying them with weapons, explosives and the items required for acts of sabotage and crimes, with the object of creating problems for Iraq and undermining its internal situation. This is an objective that is officially and publicly declared by the Iranian authorities, and the Iraqi authorities have conclusive evidence to this effect.

According to a report of Agence France-Press from Tehran on 2 August 1992, the Iranian press has reported that the Supreme Council of National Security, which met under the chairmanship of Iranian President Rafsanjani, criticized what it called the "negligence" of the United Nations in coping with developments in the situation in southern Iraq and protecting the lives of its innocent inhabitants.

On 2 August the same Agency, reporting from Tehran, attributed to what it called a leader of the Iraqi Shi'ite opposition based in Iran, a person called Muhammad Baqir al-Hakim, a call for the establishment of a safe haven in southern Iraq to protect the lives of those of its inhabitants who had taken refuge in the marshes. This is the same request that is being promoted in American circles.

The Special Rapporteur proposes that there should be a team of human rights monitors to be deployed in all parts of Iraq to whom he would accord wide powers, privileges and immunities, so that they would resemble the political agents of the colonialist Powers of imperialist times, while completely ignoring the authority of the Iraqi State to exercise its functions in full sovereignty and independence. Iraq peremptorily rejects such interference in its internal affairs.

It is indeed strange that the Special Rapporteur should focus in his report on the Third River project and consider it the greatest threat to the inhabitants of the marshland area on the grounds that it would divert water, destroy fisheries and pose a serious danger to the environment. This view reflects a biased approach aimed at injuring Iraq by all possible means.

It is widely known that in the Tigris-Euphrates river basin cultivation based on irrigation has been practised for many centuries owing to the fact that rainfall is insufficient for agriculture. Because of continuous cultivation and the high salinity of the water of the Tigris and Euphrates, large quantities of salts accumulated on agricultural land and transformed it into land that is for the most part unfit for cultivation, particularly in the central and southern areas of Iraq. In order to restore the fertility of the soil and transform these areas into agriculturally productive land, it was necessary to devise a radical solution to the drainage problem. What is referred to as the Third River and is known in technical parlance as the Main Outfall Drain (MOD) project is the backbone of the solution to this problem. The idea of the project, which is one of long standing and began some 40 years ago, is to collect high-salinity drainage water from agricultural enterprises in central and southern Iraq into one main drain and to channel it into the Arabian Gulf without intermixture with any of Iraq's rivers or marshlands. The issue of drainage in Iraq was first addressed in the framework of overall

planning in the time of the monarchy by the American consultancy firm Tippet Appett Macarthy (TAMS) in 1952. In its report to the Development Council, it proposed that a number of main drains should be used, the most important of them being the Main Drain (Third River) extending from Balad north of Baghdad to Nasiriyah, to collect most of the drainage water in the agricultural areas between the Tigris and Euphrates rivers into one main drain thence to be channelled into the Arabian Gulf (the sea). Then, in 1972, the British consultancy firm Sir M. Macdonald & Partners, in a study of the development of irrigation projects for the central Tigris basin, stressed the need for a part of the Main Drain (Third River) 154 kilometres long to be built between Hawr al-Dalmaj and Nasiriyah as a requirement for improved irrigation on the enterprises in question. The company prepared designs and contract documents for this part of the Main Drain (Contract No. DG/2 A). Between 1972 and 1981, Soviet experts brought in by the Ministry of Irrigation conducted a number of studies and produced detailed designs relating to Iraq's overall drainage plan. A number of options were elaborated for linking the Main Drain at Nasiriyah with the Arabian Gulf. The option was selected that would prevent the intermixture of saline water from the Main Drain with the water of Hawr al-Dalmaj, inasmuch as the Main Drain would run inside a strictly separate dyke, built parallel to the southern edges of the marshland and from there to the Arabian Gulf through the Shatt al-Basrah canal.

Work on the Main Drain (Third River) has gone through a number of phases. Two major conduits were built as part of the expansion of the great Musayyib irrigation project in 1954, and they form the basis for the Main Drain in light of the planning carried out by the American TAMS company. Then, in 1959, the 60-kilometre-long western Shatrah conduit was built by the Dutch company Zanen Verstoep NV to collect drainage water from the Ghiraf region project and channel it into Hawr al-Hammar. Subsequently, the 156-kilometre-long central section of the Main Drain was built between Hawr al-Dalmaj and the western Shatrah conduit by the Ministry of Irrigation and the Soviets between 1973 and 1977 on the basis of the designs prepared by the British consultants Sir M. Macdonald & Partners. After that, earthworks were completed for the southern section of the Main Drain between Nasiriyah and the Arabian Gulf by the German company Philip Holzman between 1982 and 1986 on the basis of the designs prepared by the Soviet consultants previously mentioned. Work on the installations and the main pumping station was done by the Brazilian company Mendes Junior Co., which began work on 22 August 1984 and suspended operations without completing the work entrusted to it following the adoption of the embargo resolution in August 1990. Work on the project currently under way is confined to the completion of remaining tasks that were halted owing to the embargo resolutions and the suspension by foreign companies of their operations in Iraq. It is to be understood that most sections of the project were completed, and these sections are now being linked together with a view to completing the project. (See the attached map of the project.)

The Main Drain (Third River) project is one of the most significant major multipurpose agricultural projects in Iraq, given that it will have a whole set of economic, social and environmental benefits for the governorates of

central and southern Iraq, namely Salah al-Din, Baghdad, Wasit, Babil, Dhi Qar and Basra. The benefits are exemplified by the drainage of agricultural land, the lowering of the groundwater level, the restoration of fertility to the soil and the enhancement of productivity over an estimated area of 6 million Iraqi dunums or 1,500,000 hectares. It will also protect the high quality of water in the Tigris and Euphrates rivers and the marshlands and ensure its fitness for various municipal, industrial and agricultural uses, since the channelling of drainage water into rivers and water-meadows leads to contamination and salinity. The project will also ensure the improvement and development of fisheries in the southern marshland area, which have deteriorated owing to the high level of salinity in the marshlands as a result of drainage water being channelled into them. Moreover, the project will be conducive to the stabilization of sand-dunes in the areas through which the Main Drain (Third River) runs and will halt the encroachment of desertification on agricultural enterprises in central and southern Iraq. The Main Drain can furthermore be used for purposes of inland navigation. It should also be noted that the water in the Main Drain will in the near future be less saline in quality, making it fit for use in irrigation. It is this that has brought about the use of the name "the Third River" for the Main Drain.

The foregoing attested technical facts show the gross ignorance and dubious purpose of the Special Rapporteur's report as it relates to the Main Drain (Third River) project. The project does not specifically target the marshlands or their inhabitants. It is not a new project undertaken with a view to achieving the objectives stated by the Special Rapporteur, which have no basis in the objective reality of the project. The total length of the course taken by the project from its starting-point to its terminus in the Shatt al-Basrah canal is 565 kilometres, while the section of the marshlands which runs parallel to the river, namely Hawr al-Hammar, is only 40 kilometres long. Thence it appears that the parties behind the Special Rapporteur's report do not want the small number of those raising water-buffalo and living in the marshlands in backward conditions to develop and become cultivators within a modern framework. They also do not want Iraq to rid itself of the saline water that is destroying its soil. They do not want it to regulate the utilization of its apportionment of water, a large part of which is being withheld in Turkish and Syrian territory in violation of international law. The parties that planned for the report of the Special Rapporteur apparently want the Iraqi Government to remain unable to provide for the food needs of its citizens, or a vital part of them, from inside Iraq, so that those who have the intention of maintaining the embargo may achieve their objectives at the expense of the security, stability and sovereignty of Iraq. Do States or human rights organizations prevent countries from regulating their water, from building dams, from draining lakes or from inundating parts of their territory with water that belongs to them?

With regard to the question of the paucity of water in the marshlands, this bears no relation whatever to the project. It is well known that the marshlands are for the most part fed by water from the Euphrates river and that the paucity of the water that has been noted has been caused by the great reduction of the water in the Euphrates resulting from the construction and

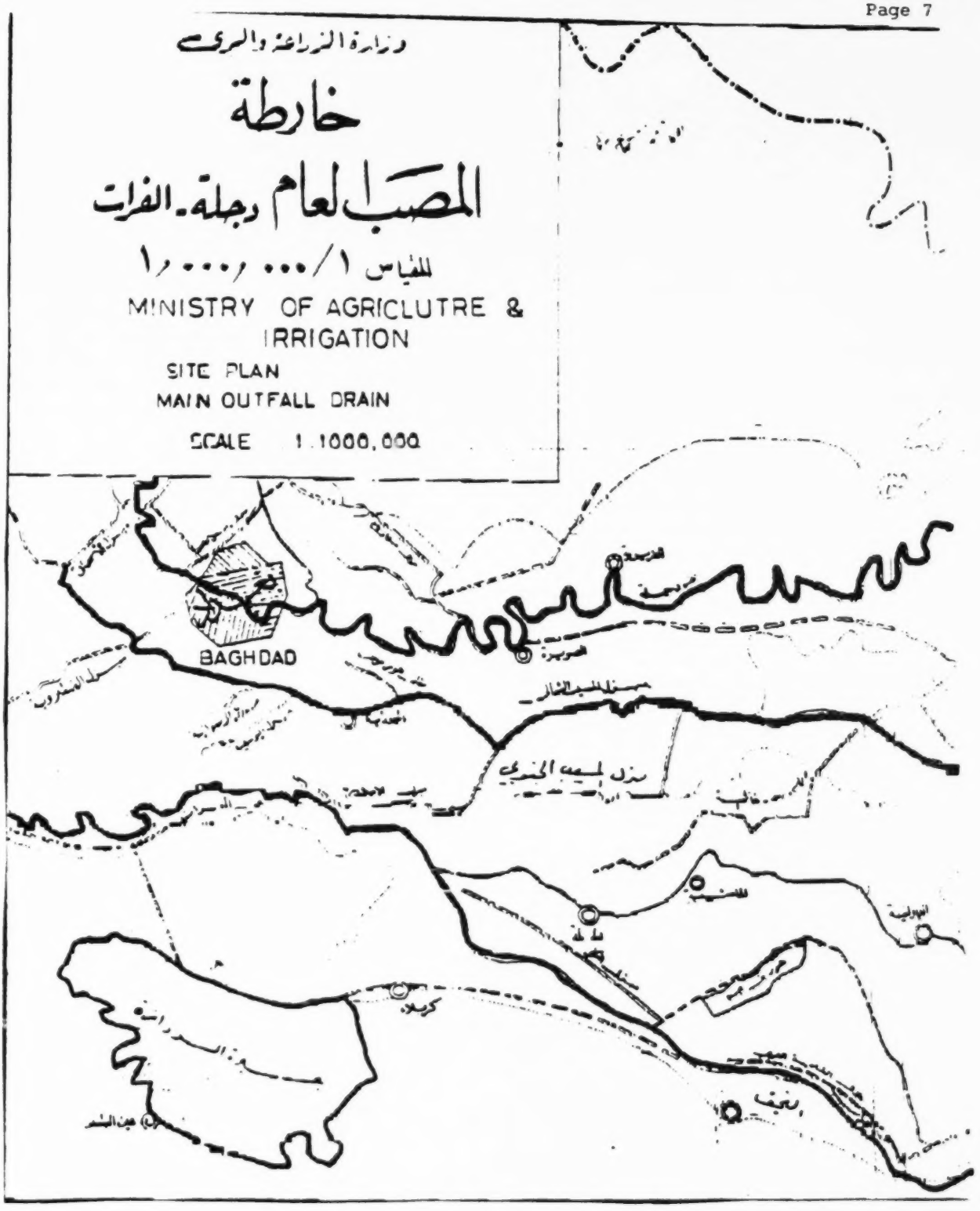
operation of the Kayban and Karakaya dams in Turkey, the Tabqah dam in Syria and the project, begun in 1990, to fill the reservoir of the very large Atatürk dam in Turkey. To prove this objective fact, it suffices to say that since it began to fill the Atatürk dam Turkey has imposed on both Syria and Iraq a water quota of 500 cubic metres per second instead of 900. Of this quota, 290 cubic metres per second are presently reaching Iraq instead of the previous 700 cubic metres. It is this that has brought about the paucity of water in the marshlands.

These scientific and historical facts expose the fallacious underpinnings on which the report in question is based, just as they expose the objectives of the parties behind this dubious report which are lending it currency in order to create a spurious crisis directed against Iraq so as to advance the political objectives of the United States and its allies after the failure of their previous attempt a few days ago with the resolution of the issue of the Ministry of Agriculture and Irrigation by agreement between Iraq and the Special Commission.

It is our hope that the Security Council will deal with this matter in accordance with the principles of the Charter prohibiting interference in the internal affairs of States and according respect to the attributes of sovereignty and that the Council will draw the correct conclusions from the spurious allegations and crises invoked against Iraq from time to time with a view to maintaining the economic embargo imposed on its people and achieving political objectives that have no relation to the resolutions of the Security Council and are in conflict with the Charter.

I should be grateful if you would acquaint the members of the Security Council with the contents of this letter.

(Signed) Muhammad Said AL-SAHHAF
Minister for Foreign Affairs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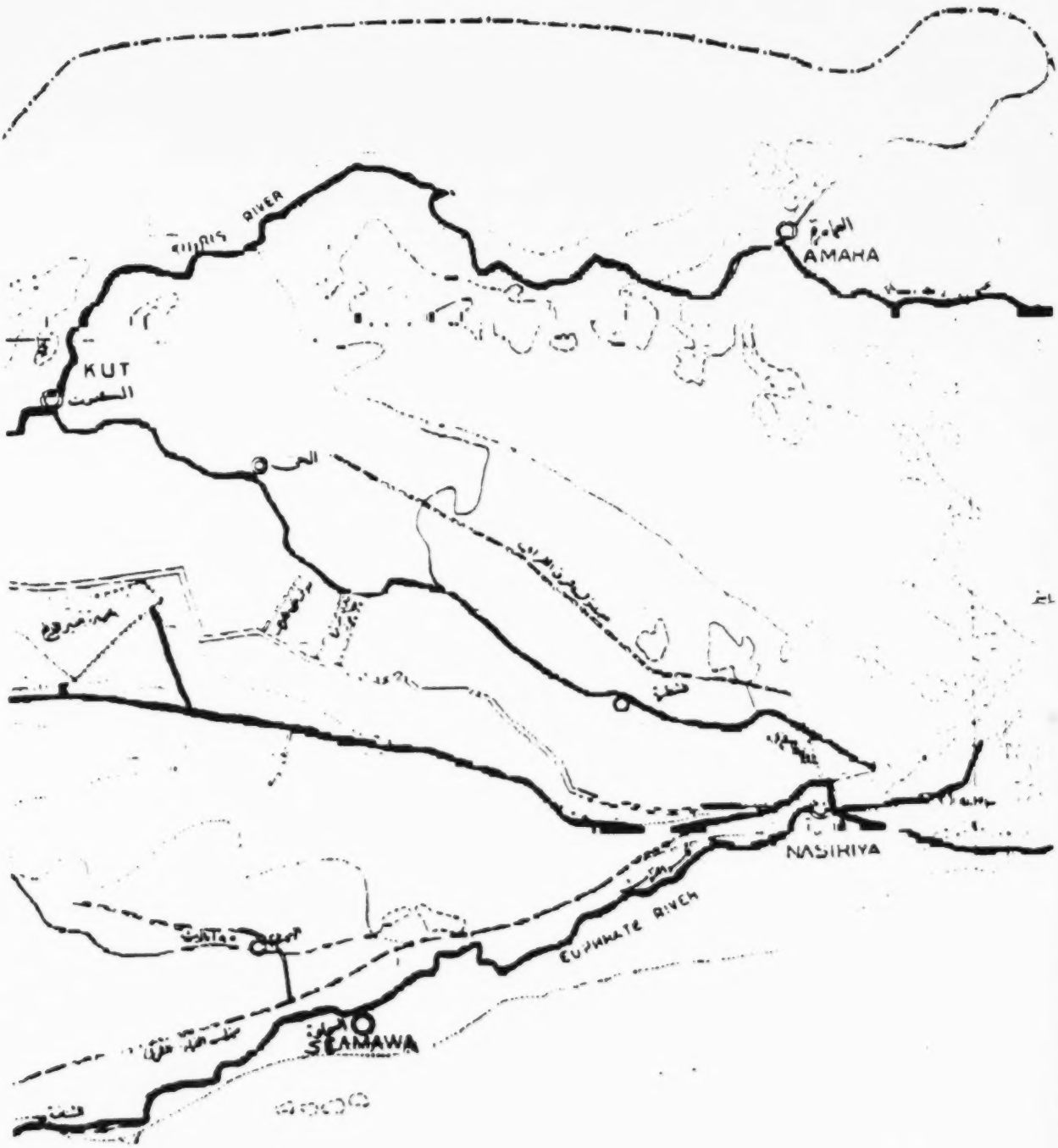
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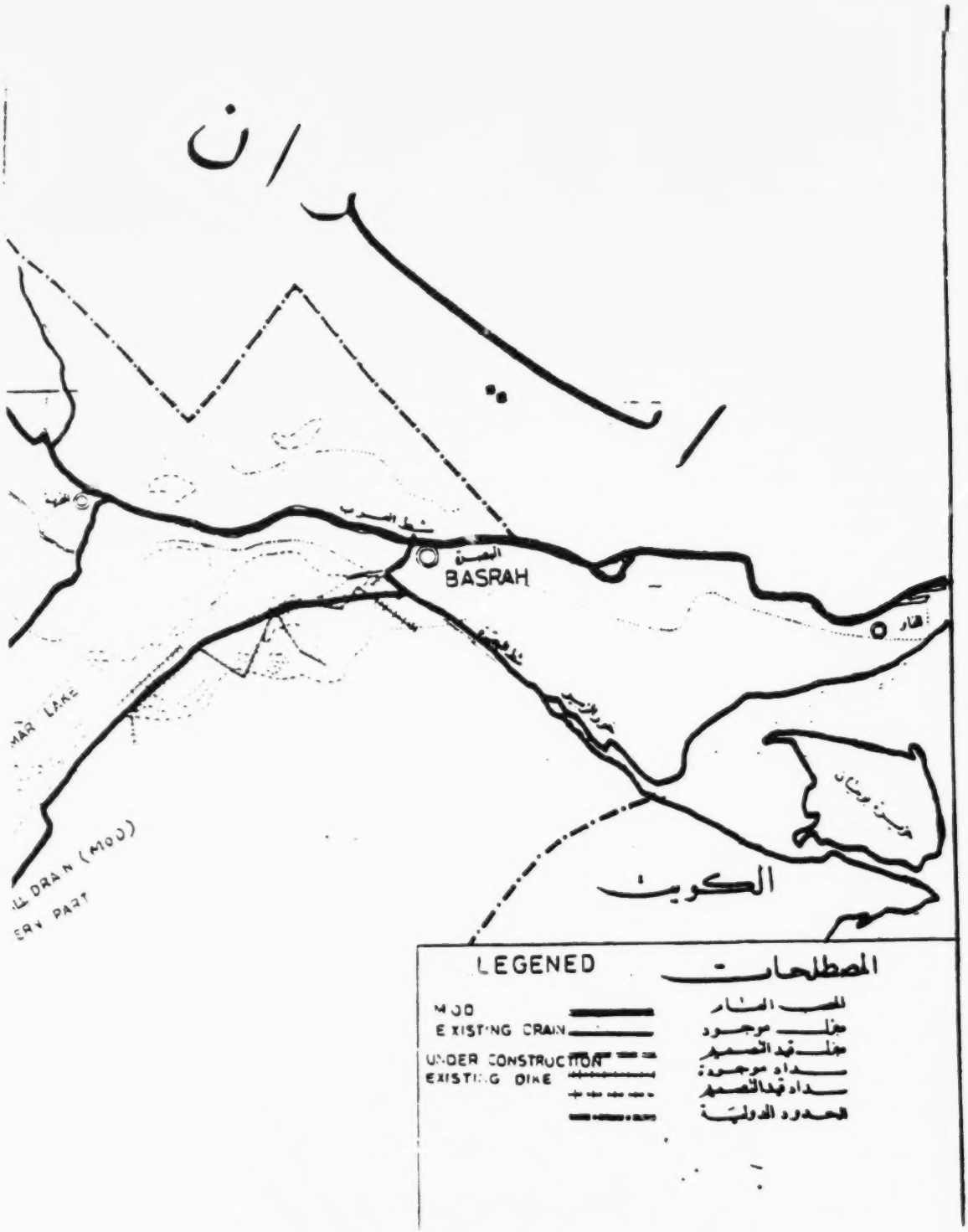
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MAIN OUTFALL DRAIN (MOD) (THIRD RIVER PROJECT)

I. Introduction

For many centuries, agriculture based on irrigation has been practised in the Tigris and Euphrates river basin since there is insufficient rainfall for cultivation. Because of continuous cultivation, large quantities of salts have accumulated on agricultural land and have transformed it into land that is for the most part unfit for cultivation, particularly in the central and southern regions of Iraq.

In order to restore the fertility of the soil and transform the area into productive agricultural land, a radical solution had to be devised to the drainage problem. The Main Outfall Drain (Third River) project is the backbone to the solution of the problem.

The idea of the project is to collect high-salinity drainage water from agricultural enterprises in central and southern Iraq into one main drain and to channel it into the Arabian Gulf without intermixture with any of Iraq's rivers or marshlands.

II. Historical background to the project

The various phases of the Main Outfall Drain project have seen a series of studies, designs and building operations, as follows:

1. Studies

(a) Study by the American consultants Tippet Appett Macarthy (TAMS) (1952)

The issue of drainage in Iraq was first addressed in the framework of overall planning in the time of the monarchy by the American consultancy firm TAMS in 1952. In its report to the Development Council, it proposed that a number of main drains should be used, the most important of them being the Main Drain (Third River) extending from Balad north of Baghdad to Nasiriyah, to collect most of the drainage water from the agricultural areas between the Tigris and Euphrates into one main drain thence to be channelled into the Arabian Gulf (the sea).

(b) Study by the British consultants Sir M. Macdonald & Partners (1972)

In 1972, the British consultancy firm Sir M. Macdonald & Partners, in a study of the development of irrigation projects in the central Tigris basin, stressed the need for a part of the Main Drain (Third River) 154 kilometres long to be built between Hawr al-Dalmaj and Nasiriyah as a requirement for improved irrigation on the enterprises in question. The company prepared designs and contract documents for this part of the Main Drain (Contract No. DG/2 A).

(c) Studies by the Soviet consultants Soyuzgidrovodkhoz (1972-1981)

The Soviet experts brought in by the Ministry of Irrigation between 1972 and 1981 carried out a number of studies and produced detailed designs relating to Iraq's overall drainage plan. A number of options were elaborated for linking the Main Drain at Nasiriyah with the Arabian Gulf. The option was selected that would prevent the intermixture of saline water from the Main Drain with the water of Hawr al-Hammar, inasmuch as the Main Drain would run inside a strictly separate dyke built parallel to the southern edges of the marshland and from there to the Arabian Gulf through the Shatt al-Basrah canal.

2. Execution of the main drain

Work on the Main Drain (Third River) has gone through a number of phases. They are as follows:

(a) Two major conduits were built as part of the expansion of the great Musayyib irrigation project in 1954, and they form the basis for the Main Drain in light of the planning carried out by the American company TAMS.

(b) The 60-kilometre-long western Shatrah conduit was built by the Dutch company Zanen Verstoep NV in 1959 to collect drainage water from the Ghiraf region project and channel it into Hawr al-Hammar.

(c) The 156-kilometre-long central section of the Main Drain was built between Hawr al-Dalmaj and the western Shatrah conduit by the Ministry of Irrigation and the Soviets between 1973 and 1977 on the basis of the designs prepared by the British consultants Sir M. Macdonald & Partners.

(d) Earthworks were completed for the southern section of the Main Drain between Nasiriyah and the Arabian Gulf by the German company Phillip Holzman between 1982 and 1986 on the basis of the designs prepared by the Soviet consultants previously mentioned.

(e) Work on the installations and the main pumping station was done by the Brazilian company Mendes Junior Co., which began work on 22 August 1984 and suspended operations without completing the work entrusted to it following the Kuwait events.

III. Work currently being carried out for the completion of the Main Drain

On the basis of the foregoing, the work currently under way on the Main Drain (Third River) project involves completion of remaining tasks that were halted owing to the war of aggression and the departure of the foreign companies. It is to be understood that most sections of the project were completed, and these sections are now being linked together with a view to completing the project. (See the attached map of the project.)

IV. Benefits of the Main Drain (Third River) project

The Main Drain (Third River) project is one of the most significant multipurpose strategic agricultural projects in Iraq, and it has the following objectives:

1. Drainage of agricultural land and a lowering of the groundwater level, restoration of fertility to the soil, and enhancement of productivity over an estimated area of 6 million Iraqi dunums or 1,500,000 hectares.

2. Maintenance of the high quality of the water in the Tigris and Euphrates rivers and the marshlands and ensuring its fitness for various municipal, industrial and agricultural uses, since the channelling of drainage water into rivers and water-meadows leads to contamination and salinity.

3. Improvement and development of fisheries in the southern marshland area, which have deteriorated owing to the high level of salinity in the marshlands as a result of drainage water being channelled into them.

4. Stabilization of sand dunes in the areas through which the Main Drain (Third River) runs and a halt to the encroachment of desertification on agricultural enterprises in central and southern Iraq.

5. Use of the Main Drain for purposes of inland navigation.

6. The water in the Main Drain will in the near future be less saline, making it fit for use in irrigation. It is this that has brought about the use of the name "the Third River" for the Main Drain.

V. Conclusions

As planned and executed over many years, the objective of the Main Drain project is to achieve developmental, environmental, economic and social goals.

From the environmental point of view, the project will achieve an improvement in the quality of surface water in the rivers and water-meadows (marshlands) by preventing its contamination by high-salinity drainage water.

The achievment of this result is in itself liable to ensure the improvement and expansion of fisheries in the marshlands and to render the water there fit for agriculture and for domestic uses.

The inland navigation made possible by the Main Drain will create many employment opportunities for the inhabitants.

The benefits of the project extend, in fact, to all areas of central and southern Iraq.